

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GLORIA JACQUEZ, CHANDRA
JACQUEZ, and R.J.,

Plaintiffs,

v.

CITY OF SAN JOSE, and JACOB
MORRIS,

Defendants.

Case No. 16-cv-05330 NC

VERDICT FORM
(LIABILITY PHASE)

We the Jury unanimously find as follows:

QUESTION 1: Excessive Force

1-1 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris violated the Fourth Amendment of the U.S. Constitution by using excessive force against Richard Jacquez?

YES _____ NO _____

[If your answer to Question 1-1 is YES, then answer Questions 1-a and 1-b. If your answer to Question 1-1 is NO, then skip to Question 2]

1-a Was it feasible for Jacob Morris to warn Richard Jacquez before striking him with his vehicle?

YES _____ NO _____

1-b Did Jacob Morris warn Richard Jacquez before shooting him?

YES _____ NO _____

[Proceed to Question 2]

QUESTION 2: Fourteenth Amendment, Interference with Familial Relationship

2-1 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris violated the Fourteenth Amendment to the U.S. Constitution?

YES _____ NO _____

[Proceed to Question 3]

QUESTION 3: Negligence

3-1 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris was negligent in his use of force against Richard Jacquez?

YES _____ NO _____

[If your answer to Question 3-1 is YES, then answer 3-2. If your answer to 3-1 is NO, then skip to Question 4]

3-2 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris's use of force was a substantial factor in causing harm to Richard Jacquez?

YES _____ NO _____

[Proceed to Question 4]

QUESTION 4: Battery

4-1 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris used unreasonable force against Richard Jacquez?

YES _____ NO _____

[If your answer to Question 4-1 is YES, then proceed to Question 5. If your answer to 4-1 is NO, then skip to Question 6]

QUESTION 5: Self-Defense or Defense of Others, on Battery Claim

5-1 Did defendants prove by a preponderance of the evidence that Jacob Morris reasonably believed that Richard Jacquez was going to harm him and/or another person?

YES _____ NO _____

[If your answer to Question 5-1 is YES, then answer 5-2. If your answer to 5-1 is NO, then skip to Question 6]

5-2 Did defendants prove by a preponderance of the evidence that Jacob Morris used only the amount of force that was reasonably necessary to protect himself and/or another person?

YES _____ NO _____

[Proceed to Question 6]

QUESTION 6: Bane Act

6-1 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris acted violently against Richard Jacquez for the purpose of preventing him from exercising his right to be free from excessive force?

YES _____ NO _____

When Verdict Form completed, please have Presiding Juror sign and date this form and alert Courtroom Deputy.

Date: _____, 2018

Presiding Juror: _____